

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

CYNTHIA B. SCOTT, *et al.*,

Plaintiffs,

v.

HAROLD W. CLARKE, *et al.*,

Defendants.

CASE NO. 3:12-cv-00036

ORDER OF APPOINTMENT

JUDGE NORMAN K. MOON

Pursuant to § IV.1 of the Settlement Agreement, and upon consideration of the parties' competing submissions and arguments, the Court hereby **APPOINTS** as Compliance Monitor in this case **Dr. Homer Venters**.

The Court **FINDS** Dr. Venters to be a knowledgeable individual with expertise and experience in the field of correctional medicine, possessing requisite qualifications for the position under the terms of the Settlement Agreement.

The Court **FINDS** that Dr. Venters' combination of expertise and experience, including regarding the inspection, evaluation and monitoring of healthcare systems in correctional facilities; development of and tracking compliance with performance metrics in correctional-setting healthcare; and prior and current epidemiological experience, including concerning correctional centers' response plans to COVID-19; render Dr. Venters uniquely qualified for the position of Compliance Monitor in this case and at this time.

The Court **FINDS** that Dr. Venters' work as an expert in the *Santos Garcia v. Wolfe*, 1:20-cv-821 (E.D. Va.), as was described to the Court, does not constitute a conflict of interest within

the meaning of the Settlement Agreement or otherwise; nor have Defendants identified any other bar to Dr. Venters' service as Compliance Monitor.

Dr. Venters shall endeavor to fulfill the responsibilities of Compliance Monitor to the best of his ability, so as to facilitate complete, expeditious, and sustained compliance with the terms of the Settlement Agreement.

It is so **ORDERED**.

The Clerk of Court is directed to send a certified copy of this Order to all counsel of record, and to Dr. Venters.

Entered this 22nd day of December, 2020.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE